

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

AUSTIN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
	§	
v.	§	NO. 1: 18-CR-410-RP
	§	
	§	
CARLOS ALBERTO ZAMUDIO	§	

**UNOPPOSED MOTION FOR  
RETURN OF PASSPORT**

TO THE HONORABLE ROBERT PITMAN, DISTRICT JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS:

Carlos Zamudio asks that his passport, which he surrendered to the Court while on pretrial release, be returned to him.

I

Carlos Zamudio pleaded guilty to conspiring to possess cocaine with the intent to distribute it. The Court sentenced him to one year and one day of imprisonment. Zamudio has served his imprisonment sentence. He is now serving his term of supervised release.

II

To better his chances of gainful employment and successful reintegration into the community, Zamudio would like to obtain his Commercial Driver's License (CDL). Zamudio has signed up for truck-driving classes with ABC Truck Driving School at 6516 South First Street in Austin, Texas.

III

Zamudio must, to be able to participate in the driving portion of the program, present proof of U.S. citizenship to the school and to the Texas Department of Public Safety. Zamudio cannot do this with his birth certificate because he was born in Mexico and later became a naturalized U.S. citizen. Unfortunately, he has mislaid his naturalization certificate, and the wait time for obtaining a replacement is lengthy. His passport would prove his U.S. citizenship.

IV

Zamudio surrendered his passport to the Court while he was on pretrial release. He asks that, if his passport is still in possession of the Court or the Pretrial Services Officer, that the passport be returned to him to allow him to show it to the driving school and the Department of Public Safety in aid of his achievement of a CDL. Zamudio lives in Austin and would be able to pick up the passport in person from Pretrial Services or any other court department that is in possession of it.

Zamudio understands the restrictions he is under while on supervised release about travel outside the district. He wishes to obtain his CDL to increase his chances of gainful employment and there are plentiful opportunities within the Western District of Texas.

V

Counsel for Zamudio has spoken to Evan Cisneros of U.S. Pretrial Services, who indicated that return with the permission of the Court was possible.<sup>1</sup> Counsel has also spoken to Assistant U.S. Attorney Douglas Gardner, who has informed counsel that he is not opposed to this motion.

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<sup>1</sup> Counsel first spoke with Zamudio's probation officer Kathy Dow. Ms. Dow told counsel that probation did not receive passports and directed counsel to the Pretrial Services Officer and the Court as avenues of possible passport return.

### **Conclusion**

For these reasons, Carlos Zamudio asks that the Court order his U.S. passport returned to him.

Respectfully submitted.

/s/PHILIP J. LYNCH  
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*Attorney for Defendant Zamudio*

### **CERTIFICATE OF SERVICE**

On April 6, 2022, I electronically filed this motion with the Clerk of Court using the CM/ECF system which will send notification of the filing to Assistant U.S. Attorney Douglas Gardner via electronic mail.

By: /s/ Philip J. Lynch

Attorney for Defendant

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF TEXAS

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v.

CARLOS ALBERTO ZAMUDIO

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NO. 1: 18-CR-410-RP

ORDER

After considering the motion of Carlos Zamudio to return to him the U.S. passport he surrendered while on supervised release, the Court finds that the motion is well-taken. It is ORDERED that the passport shall be returned to Zamudio.

DATED this \_\_\_\_\_ day of April 2022.

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Robert Pitman  
United States District Judge